

REMARKS/ARGUMENTS

Applicants respond herein to the Final Office Action dated April 16, 2007.

Applicant's attorneys appreciate the Examiner's continued thorough search and examination of the present patent application.

Claims 1-23 and 25-35 are pending in this application. Claims 5, 8, 18, 20, 22 and 33-35 have been withdrawn from consideration. Claims 10, 12-17, 19, 21, 23, 25 and 26 have been allowed. Claims 1-4, 6, 7, 9, 11 and 27-32 have been rejected.

Claims 1-4, 6, 7, 9, 11, 27-29, 30, 31 and 32 have been rejected under 35 U.S.C. §102(b) as being anticipated by Canadian Patent Application No. 2 375 246 to Giampavolo ("Giampavolo"). Reconsideration and withdrawal of this rejection are respectfully requested.

Claims 1, 7, 27, and 31 have been amended to recite each "guard section having top and bottom portions, the bottom portion being wider than the top portion making each modular guard section substantially wedge or triangular shape in cross section to increase the stability of the guard section."

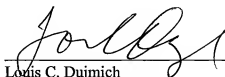
As argued in the Amendment, filed on February 1, 2007, Giampavolo teaches guard sections 38 that are flat. They have the same width dimensions at the top and at the bottom of the wall 42. Because the bottom portions of the guard sections 38 of Giampavolo are not wider than their top portions, such guard sections 38 do not possess the increased stability provided by the wedge or triangular shape cross section. Therefore, Giampavolo does not teach, disclose, or suggest the above-quoted recitation of amended independent claims 1, 7, 27, and 31.

Thus, Giampavolo does not anticipate Applicants' independent claims 1, 7, 27, and 31. Claims 2-4, 6, 9, 11, 28-30, and 32 depend directly or indirectly from above discussed independent claims and are, therefore, allowable for the same reasons, as well as because of the combination of features in those claims with the features set forth in the respective independent claims.

In view of the above, it is submitted that all claims in this application are now in condition for allowance, prompt notification of which is requested.

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY THROUGH
THE PATENT AND TRADEMARK OFFICE EFS
FILING SYSTEM ON May 16, 2007.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Louis C. Dujmich', is written over a horizontal line.

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